

REMARKS / DISCUSSION OF ISSUES

Claims 1-12 and 14 are pending in the application. Claim 13 was previously cancelled.

The Office action rejected claims 1, 10 and 12 under 35 USC 102(b) by Walton et al. (20030128658) (hereinafter Walton).

Applicant's claim 1 includes, in part, the features of:

the secondary station configuring its receiver resources for processing the received data and interference by choosing selected ones of said plurality of its antennas for receiving interference signals for interference cancellation.

The Office Action on page 3 points to Figs. 8A, 10B, and paragraphs 30 and 281 of Walton as allegedly disclosing the above mentioned features of claim 1. However, applicant respectfully submits that Walton fails disclose or even suggest the above mentioned features.

Paragraph 30 of Walton only discusses that there are a number of receive antennas at a communicating terminal which may be equal to or greater than the number of transmit antennas at the base station. There is no mention or even suggestion of choosing selected ones of said plurality of its antennas for receiving interference signals for interference cancellation.

Paragraph 281 of Walton discusses determining estimates of the interference due to the decoded data stream. Walton states that the interference estimates are subtracted from the received symbol vector streams to provide modified symbol vector streams having the components from the decoded data stream removed. Again there is no mention or even suggestion of the above mentioned features of claim 1. Walton discusses estimating the interference and does not even mention choosing selected ones of said plurality of its antennas.

On page 3 of the Office Action it is apparently argued by the Office that Walton's teaching of the number of spatial subchannels is limited by the number of transmit antennas at the base station is equivalent to the above claimed features. However, Walton does not even mention choosing selected ones of said plurality of its antennas for receiving interference signals for interference cancellation. Furthermore, the number

of spatial subchannels being limited by the number of transmit antennas at the base station as discussed in Walton would not suggest the claimed features to one skilled in the art.

Paragraph 277 of Walton discusses the receiver unit of Fig. 10B and describes that the transmitted signals are received by each of the N_r antennas 852 and the received signal from each antenna is routed to a respective demodulator 854. Paragraph 278 describes another transmit processing scheme related to Fig. 10B. None of the teaching in Walton describes or suggests applicant's invention as claimed in claim 1.

Applicant respectfully submits that Walton fails to support the articulated reasoning as to anticipating at least the above mentioned features. Furthermore, the lacking features would not have been obvious to one skilled in the art and the rejection should be withdrawn and claim 1 allowed.

Applicant's claim 10 is directed to a system and includes, in part, the features of:

means for configuring its receiver resources for processing data signals received from the adapted primary station and interference by choosing selected ones of said plurality of its antennas for receiving interference signals for interference cancellation.

Applicant's claim 12 is directed to a secondary station and includes, in part, the features of:

means for configuring its receiver resources for processing received data signals and interference by choosing selected ones of said plurality of its antennas for receiving interference signals for interference cancellation.

The Office action rejects claims 10 and 12 using substantially the same arguments presented above with respect to claim 1. Due to the similarity of certain features in claims 10 and 12 as compared to claim 1, applicant essentially repeats the above arguments from claim 1 pointing out why each of independent claims 10 and 12 are also allowable.

The Office action rejects claims 2-9 and 11 under 35 USC 103(a) over Walton, in view of Gore et al.

Claims 2-9 depend upon claim 1, and claim 11 depends upon claim 10. Each dependent claim includes the features of their respective base claim, plus additional distinguishing features. Gore et al. fails to cure the deficiencies discussed above with respect to claim 1. Thus, for at least the foregoing reasons, applicant respectfully requests that the rejection of claims 2-9 and claim 11 be withdrawn.

The Office action rejections claim 14 under 35 USC 103(a) over Walton, in view of Matsue et al.

Claim 14 depends upon claim 12. Claim 14 includes the features of claim 12, plus additional distinguishing features. Matsue et al. fails to cure the deficiencies discussed above with respect to claim 1 (as applied to claim 12). Thus, for at least the foregoing reasons, applicant respectfully requests that the rejection of claim 14 be withdrawn.

Conclusion

An earnest effort has been made to be fully responsive to the Examiner's correspondence and advance the prosecution of this case. In light of the foregoing, withdrawal of the rejections of record and allowance of this application are solicited.

If there are any questions, the Examiner is respectfully requested to call the undersigned attorney at the number listed below.

Respectfully submitted,

/Brian S. Myers/

Brian S. Myers,

Reg. No.: 46,947

973-401-7157

For Kevin C. Ecker,

Reg. No. 43,600

Mail all correspondence to:

Kevin C. Ecker

Sr. Intellectual Property Counsel

US PHILIPS CORPORATION

P.O. Box 3001

Briarcliff Manor, NY 10510-8001